



Entered on Docket  
October 02, 2007

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE COMPANY,  
USA CAPITAL REALTY ADVISORS, LLC,  
USA CAPITAL DIVERSIFIED TRUST DEED FUND,  
LLC,  
USA CAPITAL FIRST TRUST DEED FUND, LLC,  
USA SECURITIES, LLC,  
Debtors.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☒ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**Order Sustaining Objection of USACM Trust  
To Frieda Moon fbo Sharon C. Van Ert Claims  
Filed in Wrong Debtor's Case; Objection of  
FTDF to Claims as Duplicative of Claims  
Previously Disallowed and Reclassified As  
Equity Interests in Corrected Amounts**

Hearing Date: September 28  
Hearing Time: 1:30 p.m.


1 The Court having considered the Objection of USACM Trust To Frieda Moon fbo Sharon  
 2 C. Van Ert Claims Filed in Wrong Debtor's Case; Objection of FTDF to Claims as Duplicative of  
 3 Claims Previously Disallowed and Reclassified As Equity Interests in Corrected Amounts (the  
 4 "Objection") [Docket No. 4454]; appearances having been noted on the record; adequate notice of  
 5 the Objection having been given; there having been no response filed to the Objection; and for  
 6 good cause appearing:

8 IT IS HEREBY ORDERED that the Objection is sustained, and that Claim Nos. 10725-  
 9 00012-1, 10725-00012-2, 10725-00013-1, and 10725-00013-2 are disallowed against the estates  
 10 and in the cases of USACM and FTDF.

11 IT IS FURTHER ORDERED that this Order shall not affect any other claims filed by  
 12 Frieda Moon f/b/o Sharon C. Van Ert ("Claimant") in these jointly-administered bankruptcy  
 13 proceedings.


15 IT IS FURTHER ORDERED that this Order shall not affect either the amount or validity  
 16 of Claimant's equity interests in FTDF as reflected in FTDF's books and records, which interests  
 17 are in the respective amounts of \$35,000 and \$17,279.

18 SUBMITTED BY:

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 20 \_\_\_\_\_  
 21 SUSAN M. FREEMAN  
 22 ROB CHARLES  
 23 **LEWIS AND ROCA LLP**  
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26 *Counsel for USACM Liquidating Trust*

APPROVED BY:

  
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*Approved*  
~~REVIEWED:~~

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